

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3704 of 2022

Gitu Dehury

.... **Petitioner**

Mr. A.K. Sahoo, Adv.

- Versus -

State of Odisha

.... **Opposite Parties**

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

30.09.2022

Order No.
05.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 21.08.2021 in connection with Khurdha Sadar P.S. Case No.32 of 2016 corresponding to S.T. Case No. 34 of 2022 pending in the Court of learned 1st Addl. Sessions Judge, Khurda for the alleged commission of offence under Sections 302/379/34 of IPC read with Section 25 of 27 of Arms Act.
4. It is alleged that the petitioner belongs to a group of about 20-30 persons who brutally assaulted the deceased with the intention of extorting money from him on the national highway. From the statement of eye-witness, Ranjit Biswal it is revealed that he has not specifically named the petitioner as having assaulted the deceased but has jointly attributed the occurrence to all the members of the group. It is further revealed that several co-accused persons standing on the same footing have been released on bail as per order passed by this

court in BLAPL Nos.7700 of 2021, 3787 of 2016, 3650 of 2016, 8316 of 2016 and 2643 of 2016. The petitioner stands on the same footing.

5. Considering the above facts as also the fact that the petitioner has spent more than a year in custody by now, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

